several states, and in some of our large cities, as shown in the Boards of Estimate and Apportionment in New York, St. Louis and other cities. In view, however, of the enormous increase in federal appropriations under the necessities of war, the demand for federal reform is so urgent that the author seems to have been justified in limiting his present discussion to the finances of the national government.

The book is what it purports to be, a convenient handbook. The style is clear and direct, and the analysis of the financial systems of the different nations of the world is in an effective and convenient form. The author has made an interesting, concise and readable presentation of a somewhat complicated subject which will be most useful in promoting the correct popular understanding of a system which now demands the thoughtful consideration of all who are interested in the efficient control of public finance.

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Handbook of Criminal Procedure. By Wm. L. Clark, Jr. Second edition by William E. Mikell. (Hornbook Series.) Published by West Publishing Co., St. Paul. 1918. pp. xi, 748. $3.75.

The editor informs us in his brief preface that the twenty-two years that have elapsed since the publication of the first edition of this well-known treatise have witnessed a marked change in the law governing criminal procedure. "This change has been brought about," we are told, "partly by statutory enactment and partly by judicial legislation;" and the "change wrought by both of these agencies has been in the same direction—towards a more rational system of procedural law." It is especially comforting to be assured that the "super-technicalities once dominating criminal procedure are yearly being attacked by legislatures and daily meeting with less respect by the courts."

These brief statements lead the reader to expect that the editor has done his work with a wholesome desire to point the way to better things in this intensely interesting and important subject. This expectation is in part fulfilled. See, for example, pages 179, 180 and 186. One might wish, however, that the distinguished editor had allowed himself more latitude in pointing out the absurdities that still obtain in this branch of the law and had given more prominence to those statutes and court decisions which make for progress in a field where the need for progress is so urgent. The changes for the better that have been made cannot be brought too forcibly to the notice of the student, the bar, and the bench.

As a practical manual, also, the book leaves some things to be desired. It is obviously not exhaustive of the cases either old or new. The paucity of the very recent cases is especially noticeable. Approximately 6,000 cases are cited. This number stands in marked contrast with the 28,000 or 29,000 cases cited by Mr. Bishop in his *New Criminal Procedure* as far back as 1896. In no subject so much as in a procedural one is the practitioner so interested in detail. Generalizations, even when accompanied by what might seem a reasonable number of illustrations, are not sufficient. This difficulty could have been remedied in part by inserting references to the Century Digest and the Key Number Series of the Decennial Digest, in accordance with the practice pursued in some of the recent companion books in the Hornbook series; also specific references to statutes where in some instances their existence has been noted only in a general way, would save the student and practitioner time. The index, too, should contain more detail.

Again, because of the brevity of the treatise, there is a failure to elucidate adequately a number of important topics. For example, neither on page 29, where the necessity for a sworn complaint preceding arrest is referred to, nor elsewhere so far as the reviewer can discover, is there any discussion of the question whether a judgment of conviction can be supported on an unsworn complaint or information. A recent Illinois case holds that it cannot. See *People v. Clark* (1917) 280 Ill. 160. See, also, for an able criticism of the case, a note by H. W. Ballantine in 1 ILLINOIS LAW BULLETIN, 175.

There are a few places where a failure to note the existence of a substantial conflict in the authorities makes the statements in the text misleading. These shortcomings appear chiefly in the chapter on "Evidence;" but, since this chapter may be looked upon as somewhat incidental to the primary purpose of the work, they should not be taken too seriously. On page 595 the statement is made without qualification that on a prosecution for homicide, when the defendant sets up self-defence, it may be shown that the decedent had previously threatened the defendant, as tending to show that the decedent began the encounter. It is true that there are some authorities which support this statement, but there are also numerous authorities to the effect that the threats of the decedent are not admissible unless it is first established that the decedent was the aggressor in the affray, and then only to prove that the defendant acted reasonably. In support of the statement in the text the author cites among other cases *Campbell v. People* (1854) 16 Ill. 17. The language of the court in this case is somewhat ambiguous, and the recent cases of *People v. Terrell* (1914) 262 Ill. 138, does not at all support the statement in the text, but rather the rule here suggested. A similar error is made on page 632, concerning proof of the character of the deceased. In the case of *State v. Byrd* (1897) 121 N. C. 684, it is made clear that such evidence is not admissible to show that the decedent was the aggressor, but only to establish the reasonableness of the defendant's conduct. On page 643, in dealing with the subject of the privilege of a witness not to incriminate himself, it is said that "if he answers so as to disclose part of the transaction, he waives his right to refuse to answer further." One case is cited in support of this statement, with the addition "But see *Reg. v. Garbett,* 1 Denn. Cr. Cas. 236." No reference is made to such a clear-cut American decision as *Chesapeake Club v. State* (1885) 63 Md. 446, in which it is held that the witness may at any point in his testimony refuse to make further disclosures of an incriminating character.

There is difficulty in accurately appraising a book of this character. It is neither an exhaustive digest and statement of the law of the subject, nor a critical and constructive treatise. It is believed that in this day law-books should be of one character or the other, and preferably of the latter character. Moreover, the need for the latter type of book is especially great in a branch of the law which is going through a process of change and in which the reform kettle is boiling so vigorously. We can only regret that such a distinguished scholar and expert on criminal law and procedure as Professor Mikell has not given us the full benefit of his mature learning in a book entirely of his own making.

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